



October 12, 2005

James and Lorene Bell
1140 Andover Dr.
Sunnyvale, CA 94087

Subject: Tree Removal Permit – 1140 Andover Dr., Sunnyvale, CA 94087
File No.: 2005-0889

Dear James and Lorene Bell:

The Department of Community Development has reviewed your application for a Tree Removal Permit for a Magnolia tree located in the rear yard at the above address and has **denied** your request. In order to grant a tree removal permit, at least one of the following findings is necessary: (1) the tree is not healthy, (2) it represents a potential hazard, or (3) it restricts the use of your property or your neighbor's use of their property. Based on an examination of the subject tree, none of these findings can be made.

The Sunnyvale Tree Preservation Ordinance was adopted to protect the diversity of trees in Sunnyvale. Trees are a valuable asset to the community in terms of aesthetics, protection of habitat, and enhancement of economic value of property and may be removed only under the circumstances noted above. The City Arborist indicates that the subject tree is not diseased, damaged, or posing a hazard and has 20-30 years remaining life expectancy. The damage to the patio area due to roots can be repaired by replacing the area with landscaping or pavers which are more conducive to undulating surface. The City Arborist also suggests root cut to address this situation. Your concern regarding the roots below the house foundation cannot be determined unless excavation is done near the house foundation to detect roots. If you are able to determine root presence and/or damage to house structure please feel free to reapply at that time.

You may appeal this decision to the Planning Commission by filing a written appeal within fifteen calendar days of the receipt of this notice. There is a \$113.00 filing fee for the appeal.

If you have questions on tree maintenance, you may consult with the City Arborist, Steve Sukke, at (408) 730-7505. If you have any questions regarding this permit, please contact me at (408) 730-7437. Thank you for your cooperation.

Sincerely,

Shétal Divatia
Associate Planner

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501